

SECOND REGULAR SESSION

HOUSE BILL NO. 1321

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SELBY, SCOTT, HENDERSON, WAGNER,
WARD AND McKENNA (Co-sponsors).

Pre-filed December 20, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2612L.011

AN ACT

To repeal section 173.260, RSMo, and to enact in lieu thereof one new section relating to eligibility for certain educational grant programs.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 173.260, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.260, to read as follows:

173.260. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) "Board", the coordinating board for higher education;

(2) "Eligible child", the natural, adopted or stepchild of a public safety officer or employee, as defined in this section, who is less than twenty-four years of age and who is a dependent of a public safety officer or employee or was a dependent at the time of death or permanent and total disability of a public safety officer or employee;

(3) "Employee", any full-time employee of the department of transportation engaged in the construction or maintenance of the state's highways, roads and bridges;

(4) "Grant", the public safety officer or employee survivor grant as established by this section;

(5) "Institution of postsecondary education", any approved public or private institution as defined in section 173.205;

(6) "Line of duty", any action of a public safety officer, whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires, is authorized or obligated by law, rule, regulation or condition of employment or service to perform;

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 (7) "Public safety officer", any firefighter, **volunteer firefighter**, police officer, capitol
18 police officer, **reserve peace officer**, parole officer, probation officer, state correctional
19 employee, water safety officer, park ranger, conservation officer or highway patrolman employed
20 by the state of Missouri or a political subdivision thereof who is killed or permanently and totally
21 disabled in the line of duty;

22 (8) "Permanent and total disability", a disability which renders a person unable to engage
23 in any gainful work;

24 (9) "Spouse", the husband, wife, widow or widower of a public safety officer or
25 employee at the time of death or permanent and total disability of such public safety officer;

26 (10) "Tuition", any tuition or incidental fee or both charged by an institution of
27 postsecondary education, as defined in this section, for attendance at that institution by a student
28 as a resident of this state.

29 2. Within the limits of the amounts appropriated therefor, the coordinating board for
30 higher education shall provide, as defined in this section, a grant for either of the following to
31 attend an institution of postsecondary education:

32 (1) An eligible child of a public safety officer or employee killed or permanently and
33 totally disabled in the line of duty; or

34 (2) A spouse of a public safety officer killed or permanently and totally disabled in the
35 line of duty.

36 3. An eligible child or spouse may receive a grant under this section only so long as the
37 child or spouse is enrolled in a program leading to a certificate, or an associate or baccalaureate
38 degree. In no event shall a child or spouse receive a grant beyond the completion of the first
39 baccalaureate degree or, in the case of a child, age twenty-four years, except that the child may
40 receive a grant through the completion of the semester or similar grading period in which the
41 child reaches his **or her** twenty-fourth year. No child or spouse shall receive more than one
42 hundred percent of tuition when combined with similar funds made available to such child or
43 spouse.

44 4. The coordinating board for higher education shall:

45 (1) Promulgate all necessary rules and regulations for the implementation of this section;

46 (2) Determine minimum standards of performance in order for a child or spouse to
47 remain eligible to receive a grant under this program;

48 (3) Make available on behalf of an eligible child or spouse an amount toward the child's
49 or spouse's tuition which is equal to the grant to which the child or spouse is entitled under the
50 provisions of this section;

51 (4) Provide the forms and determine the procedures necessary for an eligible child or
52 spouse to apply for and receive a grant under this program.

53 5. An eligible child or spouse who is enrolled or has been accepted for enrollment as an
54 undergraduate postsecondary student at an approved institution of postsecondary education shall
55 receive a grant in an amount not to exceed the least of the following:

56 (1) The actual tuition, as defined in this section, charged at an approved institution where
57 the child or spouse is enrolled or accepted for enrollment; or

58 (2) The amount of tuition charged a Missouri resident at the University of Missouri for
59 attendance as a full-time student, as defined in section 173.205.

60 6. An eligible child or spouse who is a recipient of a grant may transfer from one
61 approved public or private institution of postsecondary education to another without losing his
62 **or her** entitlement under this section. The board shall make necessary adjustments in the amount
63 of the grant. If a grant recipient at anytime withdraws from the institution of postsecondary
64 education so that under the rules and regulations of that institution [he] **such recipient** is entitled
65 to a refund of any tuition, fees, or other charges, the institution shall pay the portion of the refund
66 to which [he] **the recipient** is entitled attributable to the grant for that semester or similar
67 grading period to the board.

68 7. If an eligible child or spouse is granted financial assistance under any other student
69 aid program, public or private, the full amount of such aid shall be reported to the board by the
70 institution and the eligible child or spouse.

71 8. Nothing in this section shall be construed as a promise or guarantee that a person will
72 be admitted to an institution of postsecondary education or to a particular institution of
73 postsecondary education, will be allowed to continue to attend an institution of postsecondary
74 education after having been admitted, or will be graduated from an institution of postsecondary
75 education.

76 9. A public safety officer who is permanently and totally disabled shall be eligible for
77 a grant pursuant to the provisions of this section.

78 10. An eligible child of a public safety officer or employee, spouse of a public safety
79 officer or public safety officer shall cease to be eligible for a grant pursuant to this section when
80 such public safety officer or employee is no longer permanently and totally disabled.